



U.S. Department of Justice
United States Attorney
Western District of New York

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PRESS RELEASE

October 30, 2003

**RE: UNITED STATES v. GERALD T. SKINNER, PAUL D. SKINNER,
and SYLVESTRE ACOSTA a/k/a SLY ACOSTA**

United States Attorney Michael A. Battle announced today a fourteen-count Second Superseding Indictment, charging three Detectives employed by the Buffalo Police Department, Gerald T. Skinner, age 42, of East Amherst, New York, Paul D. Skinner, age 44, and Sylvestre Acosta, age 49, both of Buffalo, New York, with deprivation of rights under color of law, conspiracy against rights, and using and carrying firearms during and in relation to a crime of violence, in violation of Title 18, United States Code, Sections 241, 242, 924(c), and 2. The Indictment, which supersedes an Indictment previously filed against the trio in January, charges Gerald T. Skinner, in five felony counts and one misdemeanor count, Sylvestre Acosta, in two felony counts and one misdemeanor count, and Paul D. Skinner, in one felony count, with deprivation of rights under color of law, in violation of Title 18, United States Code, Sections 242 and 2. Each such felony count carries a maximum penalty of 10 years imprisonment, a fine of \$250,000.00, or both, while the misdemeanor counts carry a maximum penalty of 1 year imprisonment, a fine of \$100,000.00, or both.

The Indictment further charges Gerald T. Skinner, Sylvestre Acosta, and Paul D. Skinner, in one count, with conspiracy against rights in violation of Title 18, United States Code, Sections 241. That count also carries a maximum penalty of 10 years imprisonment, a fine of \$250,000.00, or both.

Finally, the Indictment charges Gerald T. Skinner, in five counts, Sylvestre Acosta, in three counts, and Paul D. Skinner, in two counts, with using and carrying firearms during and in relation to a crime of violence, in violation of Title 18, United States Code, Sections 924(c) and 2. Each firearm count carries a maximum penalty of a mandatory consecutive 5 year term of imprisonment.

It should be noted that the fact that a defendant has been charged with a crime . . . is merely an accusation and the defendant is presumed innocent until and unless proven guilty. (**Disciplinary Rule 7-107(B)(6)**).

According to Assistant United States Attorney James P. Kennedy, Jr., who is prosecuting the case, the only new charges contained in the Second Superseding Indictment pertain to the execution of a search warrant conducted by Gerald T. Skinner during January of 2001. The indictment alleges that during the execution of that warrant, Gerald T. Skinner assaulted the individual whose premises was being searched and stole a quantity of United States currency. Arraignment on the charges

contained in the new Indictment has been scheduled before the Honorable H. Kenneth Schroeder, United States Magistrate Judge, for Wednesday, November 5, 2003.

United States Attorney Battle further noted that the Second Superseding Indictment represents the culmination of an investigation conducted by: the Federal Bureau of Investigation, under the direction of Peter J. Ahearn, Special Agent in Charge, and the New York State Police, under the direction of Major Michael McManus, and the Internal Revenue Service, Criminal Investigation Division, under the direction of Ann Marie Coons, Special Agent in Charge. Battle also stated that the Buffalo Police Department, under the direction Rocco J. Diina, Commissioner, has cooperated completely with the investigation.

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